

WC Docket No. 14-26

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Accepted/Files

FEB 11 2014

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Section 63.71 and 63.19 Application of)
Telecom Argentina USA, Inc. For Authority)
Pursuant to Section 214 of the Communications)
Act of 1934, to Discontinue the Provision of)
Service)

WC Docket No. ____

**SECTION 63.71 AND SECTION 63.19 APPLICATION OF
TELECOM ARGENTINA USA, INC.**

Telecom Argentina USA, Inc. ("Telecom Argentina USA") hereby submits this application for authority under Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and Sections 63.71 and 63.19 of the Commission's rules, 47 C.F.R. §§ 63.71 and 63.19, to discontinue the provision of retail telecommunications services. In support of this application, Telecom Argentina USA submits the following:

1. Name and Address of Carrier (47 C.F.R. §§ 63.71(a)(1) and (b)(2))

Telecom Argentina USA, Inc.
80 SW 8th Street
Suite 2110
Miami, FL 33130

2. Date of Planned Discontinuance (47 C.F.R. §§ 63.71(a)(2) and (b)(2))

Telecom Argentina USA plans to discontinue its retail telecommunications services as of March 28, 2014, or as soon as possible once the necessary regulatory approvals have been obtained.

3. Points of Geographic Areas of Service Affected (47 C.F.R. §§ 63.71(a)(3) and (b)(2))

Telecom Argentina USA provides a call forwarding service to approximately 600

customers located throughout the United States.

Telecom Argentina USA also provides a pre-paid calling card service. Cards are only distributed by one distributor via point-of-sale kiosks in Florida and New Jersey and online, but can be used to place domestic and international calls throughout the United States.

4. Brief Description of Type of Service Affected (47 C.F.R. §§ 63.71(a)(4) and (b)(2))

Telecom Argentina USA provides two types of telecommunications services: a call forwarding service and a pre-paid calling card service.

Telecom Argentina USA's call forwarding service is an international call forwarding service. Telecom Argentina USA assigns a local number from Argentina, which is automatically forwarded to the number of choice of the customer in the United States. This service allows a customer's relatives from Argentina to reach the customer abroad dialing only a local phone number.

Telecom Argentina USA currently distributes calling cards only in the state of Florida and New Jersey via point-of sale kiosks and online, with one active distributor. These cards can be used anywhere within the United States to place domestic and international calls.

Although at one time Telecom Argentina USA had many customers and higher revenues from its call forwarding and pre-paid calling card services, these businesses have decreased in recent years. Telecom Argentina USA no longer actively markets these services and is not currently investing resources in them. Currently, Telecom Argentina USA provides a call forwarding service to approximately 600 customers. Less than 1,000 pre-paid calling cards are distributed per month.

5. Brief Description of the Dates and Methods of Notice to All Affected Customers (47 C.F.R. § 63.71(b)(3))

Telecom Argentina USA has written contracts with each of its call forwarding customers.

The company has provided customers written notification of this discontinuance through correspondence sent February 10, 2014. A copy of this customer notification is included as Exhibit A.

Telecom Argentina USA does not sell its calling cards directly to end users. Rather, it sells the cards through a distributor. Each calling card has a user identification number associated with it. The holder of a calling card accesses Telecom Argentina USA's system by calling an 800 number or a local access number and entering his or her identification number, followed by the number to be called. The cost of the call is deducted from the amount that the holder of the calling card has prepaid. The calling cards are sold in denominations of \$2 and \$5. These cards are all sold by one distributor on the Internet or via point-of-sales kiosks.

Section 63.71(a) of the rules requires that domestic carriers either: (1) notify each affected customer of a proposed discontinuance; or (2) show good cause for providing a different form of notice.¹ The Commission previously has recognized that, in the case of prepaid calling card services, there is good cause for using an alternate method to notify customers.² In such cases, the Commission granted has granted applications to discontinue service without requiring prepaid calling card companies to provide written notice to individual customers.³

Telecom Argentina USA has no direct relationship with the end users of its calling cards, and therefore has no means for providing written notice of a discontinuance of service to each end user. As described above, Telecom Argentina USA distributes its calling cards through only one distributor. The company has requested that the distributor cease its sale of any unsold

¹ 47 C.F.R. § 63.71(a).

² See, e.g., *Comments Invited on Application of PLDT Retail, Inc. to Discontinue Domestic Telecommunications Services*, Public Notice, WC Docket No. 05-73, 20 FCC Rcd 4208 (2005); *MCI WorldCom Network Services*, Public Notice, NSD File No. W-P-D-436 (Aug. 6, 1999).

³ *Id.*

cards.

Telecom Argentina USA has established a computer generated message that customers will hear when they call the customer service number available on the cards, alerting them as to the last date that the cards may be used. Customers who have unused funds on their cards after the March 28, 2014 discontinuance date may contact customer service, where they will receive directions on how to return unused cards to receive a full refund. The refund will be either provided as a credit on the customer's credit card or by check sent by mail, based on the customer's preference. Moreover, the prepaid calling card business is extremely competitive and customers will continue to have numerous alternative carriers to provide prepaid calling card services.

Copies of this Application are being sent via first class U.S. Mail to the governors and public service commissions of Florida and New Jersey and the Special Assistant for Telecommunications to the Secretary of Defense. Because Telecom Argentina USA also seeks to discontinue the provision of international services through its international Section 214 authorization, IBFS File No. ITC-214-20010129-00034, copies of this Application are also being sent to the Chief of the International Bureau.

6. Regulatory Classification of Carrier (47 C.F.R. § 63.71(b)(4)):

Telecom Argentina USA is non-dominant with respect to the services that it proposes to discontinue.

Conclusion

For the foregoing reasons, Telecom Argentina USA requests that the Commission, as expeditiously as possible, issue a public notice announcing the filing of Telecom Argentina USA's application to discontinue service, and that, in accordance with its discontinuance procedures, the Commission provide for the application to be granted automatically on the thirty-

first day after the public notice has been released.

Respectfully submitted,

TELECOM ARGENTINA USA, INC.

/s/ Maximo Lema

Maximo Lema
President
Telecom Argentina USA, Inc.
80 SW 8th Street
Suite 2110
Miami, FL 33130

Colleen King
Wiley Rein LLP
1776 K Street, NW
Washington, DC 20006
Tel: 202-719-7307
cking@wileyrein.com

Dated: February 11, 2014

EXHIBIT A

Dear Customer,

This letter will serve as formal notice that Telecom Argentina USA, Inc. will discontinue its Call Forwarding Services provided under the commercial names Me Llamas, Me Llamas Premium, Find Me, and Te Llamo on March 28, 2014.

Telecom Argentina USA, Inc. is providing you with notice of our discontinuance of service in order to ensure that you will have ample time to make other arrangements for replacement service. Please note that this service will not be transferred automatically to another carrier. In order for you to maintain uninterrupted service, you must make arrangements with an alternative service provider well in advance of the termination date. You should begin that process immediately.

We provide below a list of alternative service providers that may be available to replace our service. Telecom Argentina USA, Inc. does not endorse or recommend any particular service provider. Telecom Argentina USA, Inc. provides this information only to assist you, but does not control or guarantee and is not responsible for the accuracy, relevance, timeliness, or completeness of information or services provided by these providers. We strongly recommend that you review each offer carefully:

Orbitel USA / Tel: 1 (800) 875 0686

Telehispanic Services / Tel: 1 (866) 897-8520

Llamada Directa / Tel: 1 (866) 505 2985

The Federal Communications Commission ("FCC") will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of Telecom Argentina USA, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, please contact Telecom Argentina USA, Inc.:

Telecom Argentina USA, Inc.

80 SW 8th Street

Suite 2110

Miami, FL 33130

CERTIFICATE OF SERVICE

I hereby certify that on February 11, 2014, I caused a true and correct copy of the foregoing to be served by first-class mail on the following:

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

The Honorable Rick Scott
State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

New Jersey Board of Public Utilities
44 S. Clinton Avenue
Trenton, NJ 08625

The Honorable Chris Christie
Office of the Governor
PO Box 001
Trenton, NJ 08625

Secretary of Defense
Attn: Special Assistant for Telecommunications
Pentagon
Washington, DC 20301

Mindel De La Torre
Chief, International Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

/s/ Pam Conley

Pam Conley